

# EXHIBIT 19

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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**BLACK LOVE RESISTS IN THE RUST, et al.,**  
**individually and on behalf of a class of**  
**all others similarly situated,**

Plaintiffs,

vs.

1:18-cv-00719-CCR

**CITY OF BUFFALO, N.Y., et al.,**

Defendants.  
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**ORAL EXAMINATION OF ROBBIN THOMAS**

**APPEARING REMOTELY FROM**

**BUFFALO, NEW YORK**

Thursday, March 23, 2023

10:07 a.m. - 5:26 p.m.

pursuant to notice

REPORTED BY:

Luanne K. Howe

APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

DEPAOLO CROSBY REPORTING SERVICES, INC.  
716-853-5544

R E M O T E   A P P E A R A N C E S

APPEARING FOR THE PLAINTIFFS:

**COVINGTON & BURLING LLP**

**BY: ANDREW TIMMICK, ESQ.**

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APPEARING FOR THE DEFENDANTS:

**HODGSON RUSS LLP**

**BY: PETER SAHASRABUDHE, ESQ.**

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DEPAOLO CROSBY REPORTING SERVICES, INC.  
716-853-5544

1 A There was no requirement.

2 Q Okay. So the only minimum number was the minimum  
3 number of patrol vehicles you needed to run a  
4 checkpoint?

5 A Well, no. When I said we wouldn't run it with two  
6 patrol vehicles, what I'm saying is that that's only  
7 four. It could be three officers so -- because with  
8 the Strike Force being a two-man operation or a  
9 two-man patrol unit, one patrol vehicle would -- you  
10 would expect two officers per marked unit.

11 Q Okay. So in your experience, checkpoints would  
12 generally have at least four officers at them at a  
13 time?

14 A I would just say not less than.

15 Q Okay. Not less than four officers. And did you ever  
16 run a checkpoint with or did you ever participate in  
17 a checkpoint with less than two patrol vehicles?

18 A Not that I can recall.

19 Q Did you ever participate in a checkpoint with less  
20 than four officers?

21 A Not that I can recall.

22 Q Okay. So how long would a checkpoint be set up for  
23 each shift?

1 MR. SAHASRABUDHE: Form.

2 A I think it could be about 45 minutes if I remember  
3 correctly.

4 Q Okay. And how long was a Strike Force shift total?

5 A Ten hours I stated previously.

6 Q Do checkpoints ever last more than 45 minutes?

7 A We could be on location for longer than 45 minutes,  
8 but the checkpoint would not still be being conducted  
9 for more than 45 minutes.

10 Q Okay. So at the end of 45 minutes, would you still  
11 be processing motorists who had been stopped by the  
12 checkpoint?

13 A We could be.

14 Q Okay. So how long might it take you total if you  
15 include the time to process all the motorists who had  
16 been stopped by the checkpoint?

17 A I couldn't say because sometimes we were also waiting  
18 on -- you know, it could depend on a variety of  
19 things, waiting on a tow truck on occasion or waiting  
20 on someone to come and assist a motorist that was no  
21 longer able to drive.

22 Like I said, there would be different variables  
23 but a variety of things that could keep us on

1 a response until the following day when we came in  
2 for our next tour.

3 Q Did the supervisor ever express to you it was an  
4 issue that you had trouble writing a summons because  
5 of some equipment problem?

6 A No.

7 Q I'd like to talk a little bit more about overtime,  
8 which we touched on before. Did a supervisor while  
9 on Strike Force ever tell you that overtime shifts  
10 were being scheduled in order to generate revenue for  
11 the BPD?

12 A No.

13 Q Did you ever hear that while you were on the Strike  
14 Force?

15 A No.

16 Q And did a supervisor ever tell you that overtime  
17 shifts were scheduled in order to increase the number  
18 of tickets being issued by Strike Force?

19 A No.

20 Q And did you ever hear that while you were on the  
21 Strike Force?

22 A That overtime was being --

23 Q Did you ever hear that overtime shifts were being

1 scheduled in order to increase the number of tickets  
2 that were issued by Strike Force?

3 A No.

4 Q And did a supervising officer ever tell you that more  
5 overtime shifts would be available if Strike Force  
6 officers issued a higher number of summonses?

7 A Never.

8 Q And did a supervising officer ever tell you that  
9 overtime shifts might be available if Strike Force  
10 officers impounded a higher number of vehicles?

11 A I apologize for laughing, but I kind of find these  
12 questions comical. I'm sorry, but no, no.

13 Q I'm going to go ahead and bring up a document. It's  
14 a document we've already looked at. This is an email  
15 from Philip Serafini. We've seen this before. Can  
16 you see that on my screen?

17 A Yes.

18 Q This is Exhibit 2. In it, we have an area where --  
19 I'll point it out to you for a second. "DPC Lockwood  
20 wants results with this increased Daytime Detail."  
21 In the second paragraph right here, this first  
22 sentence, do you see this? (Indicating.)

23 A Yes.